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09/920,104	08/01/2001	Yasushi Fujinami	450100-03401	4849

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EXAMINER	
SHIBRU, HELEN	

ART UNIT	PAPER NUMBER
2621	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/920,104	FUJINAMI, YASUSHI	
	Examiner	Art Unit	
	HELEN SHIBRU	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 July 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-33* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. The amendments filed on 07/03 /2007 have been entered and made of record. Claims 1-33 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1-33 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-2, 4-5, 14-16, 18, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lownes (EP 0 993 185 A2) in view of Nishimura (US Pat. No. 5,412,418) and further in view of Applicant's related art.

Regarding claim 1, Lownes discloses an image processing apparatus comprising:

a playback section for playing back image data (see page 5 lines 19-21, page 6 lines 35-36 and fig. 2, VCR, TV);

a transmission section for transmitting the played back image data to a reception apparatus through a predetermined transmission line (see page 3 lines 23-30, page 4 lines 3-20 and 49-51 and page 7 lines 3-11); and

a control section for controlling, when an instruction to temporarily stop the playback of the image data is received, said playback section and said

transmission section to stop the playback and the transmission of the image data (see fig. 5 and page 12-22, status: stop pause, record, etc.), respectively, and further controlling said transmission section to transmit a message representing that the playback of the image data is temporarily stopped to said reception apparatus through said transmission line (see abstract, page 7 lines 45-51 and figures 2, 4, and 6).

Claim 1 differs from Lownes in that the claim further requires the control section establishes on one transmission line a first channel for transmission of said image data and a second channel for transmission of said message.

In the same field of endeavor Nishimura discloses ISDN (integrated services digital network) has two communication channels, channel one for communication of video and audio data and channel two for transmitting control information such as messages (see col. 6 lines 13-19). Nishimura further discloses a line interface, component 7 in fig. 1, for transmitting and receiving a message information, transmitting and receiving the multiplexed video and audio signals, making a connection with the ISDN, and sending various messages on the communication line, etc. Therefore in light of the teaching in Nishimura it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lownes by providing one transmission line to transmit two channels in order to improve communication.

Claim 1 further differs from the above proposed combination in that the claim further requires the said reception apparatus having a temporary store to temporarily store the played

back image data transmitted thereto and wherein the image data stored in said temporary store is repetitively read out while said playback and transmission sections are stopped.

In the same field of endeavor, as admitted by the Applicant, the related art teaches reception apparatus having a temporary store to temporarily store the played back image data transmitted thereto and wherein the image data stored in said temporary store is repetitively read out while said playback and transmission sections are stopped (see paragraphs 0029 and 0056). Therefore in light of the teaching in the related art it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above proposed combination in order to display image data through IEEE 1394 cable.

Regarding claim 2, Lownes discloses when an instruction to cancel the temporary stop is received, said control section controls said playback section and said transmission section to resume the playback and the transmission of the image data, respectively, and further controls said transmission section to transmit a message representing that the playback of the image data is resumed to said reception apparatus through said transmission line (see page 6 lines 3-8, page 7 lines 12-44 and line 51-page 8 line 5).

Note to the Applicant: The US PTO considers the Applicant's "or" language to be anticipated by any reference containing one of the subsequent corresponding elements.

Regarding claim 4, Lownes discloses transmission lines compiles with the IEEE 1394 standard (see page 4 lines 4-20).

Regarding claim 5, the limitations of claim 5 can be found in claims 1 and 2 above. Therefore claim 5 is analyzed and rejected for the same reason as discussed in claims 1 and 2 above.

Regarding claim 14, Lownes discloses an image processing apparatus, comprising:

a playback section for playing back image data (see page 5 lines 19-21, page 6 lines 35-36 and fig. 2, VCR, TV);

a transmission section for transmitting the played back image data to a reception apparatus through a predetermined network (see page 3 lines 23-30, page 4 lines 3-20 and 49-51 and page 7 lines 3-11, tuner, transport stream); and

a control section for controlling, when a message representing that an instruction to temporarily stop the playback of the image data is issued through said network, said transmission section to stop the transmission of the image data (see fig. 5 and page 12-22, status: stop pause, record, etc., see abstract, page 7 lines 45-51 and figures 2, 4, and 6).

Claim 14 further differs from the above proposed combination in that the claim further requires the said reception apparatus having a temporary store to temporarily store the played back image data transmitted thereto and wherein the image data stored in said temporary store is repetitively read out while said playback and transmission sections are stopped.

In the same field of endeavor, as admitted by the Applicant, the related art teaches reception apparatus having a temporary store to temporarily store the played back image data transmitted thereto and wherein the image data stored in said temporary store is repetitively read out while said playback and transmission sections are stopped (see paragraphs 0029 and 0056). Therefore in light of the teaching in the related art it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above proposed combination in order to display image data through IEEE 1394 cable.

Regarding claim 15, Lownes discloses when a message representing that an

instruction to cancel the temporary stop is received through said network, said control section controls said transmission section to resume the transmission of the image data (see page 4 lines 13-20, page 6 lines 3-8, page 7 lines 12-44 and line 51-page 8 line 5).

Regarding claim 16, Lownes discloses wherein said network complies with the IEEE 1394 standard (see page 4 lines 3-20).

Method claim 18 is rejected for the same reason as discussed in apparatus claim 14 above.

Regarding claim 27, see rejection of claim 1 above and figures 1a, 1b, 3b and c and 5.

5. Claim 3 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lownes in view of Nishimura (US Pat. No. 5,412,418), in view of Applicant's related art, and further in view of Sugiyama (US Pat. No. 5,815,631).

Regarding claim 3, claim 3 differ from Lownes and Nishimura in that the claim further requires transmission section transmits the image data also to an additional reception apparatus or apparatuses through said transmission line. Although Lownes fails to disclose an additional reception apparatus or apparatuses, Lownes discloses a multiplexer for selecting received information from a digital VHS video cassette recorder (DVHS VCR) (see page 4 lines 3-7 Of Lownes). Lownes further discloses the status information is transferred between the digital VCR and the CPU via asynchronous data transfer mode (see page 4 lines 7-12).

In the same field of endeavor Sugiyama discloses the image data is transmitted to an additional reception apparatus or apparatuses (see col. 3 line 35-col. 4 line 28, fig. 1, and fig. 2 VTR 2, 3, 4, and 5). Sugiyama further teaches the TV and the VTRs include input and output selector to receive an input signal from and to supply an output signal to other devices (see col. 3

lines 31-33, 44-47, 54-62 and col. 4 lines 6-11 and line 20-23). In light of the teaching in Sugiyama, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the apparatus of Lownes by providing an auxiliary reproduction signal input unit in order to control a number of AV devices.

Claim 17 is rejected for the same reason as discusses in claim 3 above.

6. Claims 7-10, 11, 13, 20-24, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lownes in view of Nishimura (US Pat. No. 5,412,418), further in view of Applicant's related art, and further in view of Gerszberg (US Pat. No. 6, 020, 916).

Regarding claim 7, Lownes discloses an image processing apparatus, comprising:

a reception section for receiving played back image data transmitted thereto from a transmission apparatus through a predetermined transmission line (see page 3 lines 23-30, page 4 lines 3-12, and page 7 lines 3-11, VCR, STB, TV);

a storage section having a storage capacity at least for one screen for temporarily storing the played back image data received by, said reception section (see page 4 lines 7-12, page 6 lines 51-54 and fig. 3B and 3C, buffer); and

Claim 7 differs from Lownes in that the claim further requires a control section for controlling when a message representing that playback of the image data is temporarily stopped is received through said transmission line, said display apparatus to repetitively read out and display the image data temporarily stored said storage section.

In the same field of endeavor Nishimura discloses ISDN (integrated services digital network) has two communication channels, channel one for communication of video and audio data and channel two for transmitting control information such as messages (see col. 6 lines 13-

19). Nishimura further discloses a line interface, component 7 in fig. 1, for transmitting and receiving a message information, transmitting and receiving the multiplexed video and audio signals, making a connection with the ISDN, and sending various messages on the communication line, etc.

The related art also discloses a display apparatus to display the image data temporarily stored in said storage section (see fig. 1-3 and paragraphs 0026-0030 and 0050-0056). Therefore in light of the teaching in the related art it would have been obvious to one of ordinary skill in the art at the time the invention was made to display image data stored temporarily in storage in order to display background image.

In the same field of endeavor Gerszberg discloses a video teleconferencing with a plurality of parties. Gerszberg teaches when a particular video is muted, a repeated loop of the last few moments of the video displayed (see col. 8 lines 40-59). Gerszberg further discloses a display apparatus to display image data (see fig. 5). Therefore in light of the teaching in Gerszberg it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the proposed combination of Lownes and Nishimura by providing a repetitive display on the screen in order to show the outgoing video to the other parties.

Regarding claim 8, Lownes discloses when a message representing that the playback of the image data is resumed is received through said transmission line, said control section controls said display section to display the image data received thereafter by said reception section (see page 7 line 45-page 8 line 5), and wherein said control section supervises the second channel for delivery of said message (see claim rejection 1 above).

Regarding claim 9, Lownes discloses storage section has a storage capacity for one screen (page 4 lines 7-12, page 6 lines 51-54, and fig. 3B and 3C buffer).

Regarding claim 10, Lownes discloses transmission line complies with the IEEE 1394 standard (see page 4 lines 4-12).

Regarding claim 11, the limitations of claim 11 can be found in claim 7 above. Therefore claim 11 is analyzed and rejected for the same reason as discussed in claim 7.

Regarding claim 13, the limitations of claim 13 can be found in claims 1 and 7. Therefore claim 13 is analyzed and rejected for the same reason as discussed in claims 1 and 7 above.

Regarding claims 20 and 24, the limitations of claims 20 and 24 can be found in claims 1, 2, 7, and 14 above. Therefore claims 20 and 24 are analyzed and rejected for the same reason as discussed in claims 1, 2, 7, and 14.

Claim 21 is rejected for the same reason as discussed in claims 2 and 8 above.

Claim 22 is rejected for the same reason as discussed in claim 9 above.

Claim 23 is rejected for the same reason as discussed in claim 16 above.

Regarding claim 26, the limitations of claim 26 can be found in claim 1, 7, 14, and 20. Therefore claim 26 is analyzed and rejected for the same reason as discussed in claims 1, 7, 14, and 20 above.

7. Claims 6, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lownes in view of Applicant's related art, in view of Nishimura and further in view of Official Notice.

Regarding claims 6 and 19, the limitations in claims 6 and 19 can be found in the apparatus claim 1 and 14 respectively. However claims 6 and 19 further require a recording medium on which a program to be executed by a computer is recorded, and causing a computer

to execute steps as claimed in claims 1 and 14. Official notice is taken that it is well known in the art to embody inventions in software to be executed by a computer. Therefore, it would have been obvious to one of ordinary skill in the art to modify the teaching of Lownes and Nishimura by having a record medium capable of being read by a computer tangibly embodying a program causing the computer to execute the steps of the apparatus claim. The motivation for having a recordable by a computer is that such a method can be easily enhanced and executed multiple times.

8. Claims 12 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lownes in view of Gerszberg (US Pat. No. 6,020,916), in view of Applicant's related art, in view of Nishimura, and further in view of Official Notice.

Regarding claims 12 and 25, the limitations in claims 2 and 25 can be found in the apparatus claim 7 and 20 respectively. However claims 12 and 25 further require a recording medium on which a program to be executed by a computer is recorded, and causing a computer to execute steps as claimed in claims 7 and 20. Official notice is taken that it is well known in the art to embody inventions in software to be executed by a computer. Therefore, it would have been obvious to one of ordinary skill in the art to modify the teaching of Lownes and Gerszberg by having a record medium capable of being read by a computer tangibly embodying a program causing the computer to execute the steps of the apparatus claim. The motivation for having a recordable by a computer is that such a method can be easily enhanced and executed multiple times.

9. Claims 28-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lownes in view of Ryu (US Pat. No. 5,442,452), in view of Applicant's related art and further in view of Gerszberg (US Pat. No. 6,020,916) Nishimura (US Pat. No. 5,412,418).

Regarding claim 28, Lownes discloses an audio/video processing apparatus connected to a network, comprising:

a reception section operable to receive played back audio/video contents transmitted thereto from a transmission apparatus through a network (see page 5 lines 19-21, page 6 lines 35-36 and fig. 2);

a storage section having a storage capacity at least for one screen for storing the audio/video contents received by said reception section (see page 4 lines 7-12, page 6 lines 51-54 and fig. 3B and 3C, buffer); and

a control section operable to control said playback apparatus to playback the said audio/video contents received by said reception section (see page 7 lines 12-51 and figures 2, 4 and 6).

Claim 28 differs from Lownes in that the claim further requires when a message representing a pause mode is received through a transmission line, said playback apparatus to repetitively play back and display the audio/video contents stored in said storage section based on the message representing a pause mode.

In the same field of endeavor Ryu discloses a sound mode switching method for multichannel selection in a picture-in-picture video device (see Abstract). Ryu further discloses displaying a main picture image from a first channel and a sub-picture image from a second channel (see claim 10 and fig. 1).

In the same field of endeavor Gerszberg discloses a video teleconferencing with a plurality of parties. Gerszberg teaches when a particular video is muted, a repeated loop of the last few moments of the video displayed (see col. 8 lines 40-59). Therefore in light of the teaching in Gerszberg it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lownes by providing a repetitive display on the screen in order to show the outgoing video to the other parties.

Claim 28 differs from the above proposed combination of Lownes, Ryu and Gerszberg in that the claim further requires image data and message data are transmitted through the same transmission line.

In the same field of endeavor Nishimura discloses ISDN (integrated services digital network) has two communication channels, channel one for communication of video and audio data and channel two for transmitting control information such as messages (see col. 6 lines 13-19). Nishimura further discloses a line interface, component 7 in fig. 1, for transmitting and receiving a message information, transmitting and receiving the multiplexed video and audio signals, making a connection with the ISDN, and sending various messages on the communication line, etc. Therefore in light of the teaching in Nishimura it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the proposed combination by providing one transmission line to transmit two channels in order to improve communication.

The related art also discloses a playback apparatus to play back the audio/video contents temporarily stored in said storage section (see fig. 1-3 and paragraphs 0026-0030 and 0050-0056). Therefore in light of the teaching in the related art it would have been obvious to one of

ordinary skill in the art at the time the invention was made to display image data stored temporarily in storage in order to display background image.

Regarding claims 29-30, the limitations of claims 29-30 is found in claim 28. Therefore claim 29-30 are analyzed and rejected for the same reason as discussed in claim 28 above.

Apparatus claims 31-33 are rejected for the same reason as discussed in claims 28-30 above.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HELEN SHIBRU whose telephone number is (571) 272-7329. The examiner can normally be reached on M-F, 8:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THAI Q. TRAN can be reached on (571) 272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Helen Shibru
August 27, 2007